

REMARKS/ARGUMENTS

Claim Rejections – 35 U.S.C. 102

Before setting forth a discussion of the prior art applied in the Office Action, it is respectfully submitted that controlling case law has frequently addressed rejections under 35 U.S.C. § 102. "For a prior art reference to anticipate in terms of 35 U.S.C. Section 102, every element of the claimed invention must be identically shown in a single reference." Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 677, 7 U.S.P.Q.2d 1315, 1317 (Fed. Cir. 1988; emphasis added). The disclosed elements must be arranged as in the claim under review. See Lindemann Machinefabrik v. American Hoist & Derrick Co., 730 F.2d 1452, 1458, 221 U.S.P.Q. 481, 485 (Fed. Cir. 1984). If any claim, element, or step is absent from the reference that is being relied upon, there is no anticipation. Kloster Speedsteel AB v. Crucible, Inc., 793 F.2d 1565, 230 U.S.P.Q. 81 (Fed. Cir. 1986; emphasis added). The following analysis of the present rejections is respectfully offered with guidance from the foregoing controlling case law decisions.

The Examiner rejects claim 31 under 35 U.S.C. 102(a) as being anticipated by United States Patent US 6,112,015 ("Planas"). In response, Applicant respectfully traverses the Examiner's rejection for reasons detailed below.

Claim 31 recites in its entirety:

A method in a computer system for displaying network management information for an optical network, said optical network comprising a plurality of nodes and a plurality of links for transmitting optical signals between said plurality of nodes, wherein each of said optical signals is a multiplexed combination of a plurality of channel signals, the method comprising:

identifying in the plurality of nodes, **add/drop nodes** at which a channel signal may be added to, and/or dropped from, an optical signal on the optical network;

displaying a network topology panel; and

displaying in the network topology panel, a graphical representation of **only** those of the plurality of nodes which have been identified as add/drop nodes.

As described on page 17 line 10 to 16, add drop nodes are represented in the network topology panel, but other nodes such as regeneration nodes, or those which contain only amplifiers are not. This view simplifies a network technology, and as stated on line 17 to 21, this view allows the network administrator to view the interconnections between only those nodes at which a channel signal may be added or dropped from the optical network.

The Examiner asserts that Planas teaches "identifying in the plurality of nodes, add/drop nodes at which a channel signal may be added to, and/or dropped from, an optical signal on the network" and refers to column 5, lines 20-31. Applicant respectfully disagrees that this passage from Planas has any relevance to the element identified in claim 31. The only portion of this passage where Planas refers to any "identification" step is the use of "identification symbols" by which different objects may be represented using different icons. Planas does not disclose how the system might select add /drop nodes by performing a functional step of identifying which nodes of the plurality of nodes are add/drop nodes, as defined by claim 31. Thus, Planas does not disclose the element identified in claim 31 and the Examiner's section 102 rejection should be withdrawn on this basis alone.

Furthermore, the Examiner is of the view that Planas teaches "displaying in the network topology panel, a graphical representation of only [emphasis added] those of the plurality of nodes which have been identified as add/drop nodes" in column 6, lines 37-42. However, this portion of Planas teaches that "in order to simplify the display of the overall network [emphasis added], the objects may be grouped in various ways depending upon some user-defined criteria". The grouping is performed so as to represent a group of objects as a single container icon. For example, those objects of the access region 79 in Figure 4b are represented by a single container icon. Regardless of how the user chooses to perform such grouping, the "overall network" is still displayed. Therefore, Applicant submits that Planas teaches away from selectively displaying only a particular type of node, ie. a subset of all nodes, because Planas teaches the grouping objects and displaying icons or representing groups of objects, e.g. nodes to simplify a display of ALL network objects. In contrast, the present application describes how to simplify the display

by identifying and displaying only individual add/drop nodes. Planas fails to disclose the specific combination of steps of claim 31 of "identifyingadd/drop nodes..." and then "displaying.... onlyadd/drop nodes".

In response to Applicant's previous arguments, the Examiner refers to Planas to contend that "the graphical representation of the network may only include a subset of all the objects in the network, which if specified, may only be the group of nodes which are identified as add/drop nodes". However, as noted above, Planas displays groupings of nodes of the "overall network" and not only a particular type of node, specifically add/drop nodes. Furthermore, it is respectfully submitted that Planas does not teach that one can specify that the subset of all objects can be those nodes which are identified as add/drop nodes. Planas teaches "some user-defined criteria" (see column 6, line 42) and "geographic and/or other administrative criteria" (see column 6, lines 43-44), but provides no suggestion as to a user criteria specifying only those nodes which are identified as add/drop nodes. It is respectfully submitted that the Examiner is inferring subject matter from Planas that is not actually disclosed by Planas. Applicant requisitions the Examiner to reconsider the disclosure of Planas and claim 31 of the present application using careful analysis without inferring subject matter that is not actually disclosed by Planas. It is respectfully submitted that if the Examiner undertakes such a careful analysis that the Examiner will determine that Planas does not disclose that the system may execute the step of "displaying in the network topology panel, a graphical representation of only [emphasis added] those of the plurality of nodes which have been identified as add/drop nodes" (see in particular page 16, line 27 to page 17, line 21 of the present application).

As stated above, "For a prior art reference to anticipate in terms of 35 U.S.C. Section 102, every element of the claimed invention must be identically shown in a single reference". Since Planas does not teach "identifying only ...add/drop nodes", in combination with "displaying in the network topology panel, a graphical representation of only [emphasis added] those of the plurality of nodes which have been identified as add/drop nodes", Applicant submits that Planas does not anticipate claim 31. The Examiner is respectfully requested to reconsider and withdraw the rejection of claim 31.

The Examiner rejects claims 35 and 36 under 35 U.S.C. 102(e) as being anticipated by

United States patent application US 2004/0081308 ("Naik"). In response, Applicant respectfully traverses the Examiner's rejection for reasons detailed below.

Regarding claim 35, the Examiner is of the view that Naik teaches "displaying in tabular form in a routes panel, information respecting each route which includes the selected node [emphasis added]" in Figure 33 and in paragraph 1082, lines 1-3. Applicant respectfully disagrees. Paragraph 1082 teaches that "The Crossconnect Trail window displays a report containing information about all the crossconnects [emphasis added] in all the NEs that are auto-discovered in the topology window". However, crossconnects are different from routes. A crossconnect is a path that goes from the receive side of a single NE to the transmit side within a single NE. A crossconnect does not traverse any NEs. By contrast, a route is a path that starts at a first NE, traverses at least one NE, and then ends on another NE. Accordingly, Naik does not teach displaying information respecting each route which includes the selected node, as defined in claim 35.

Furthermore, Claim 35 defines the display of all multi-NE routes that pass through a single NE in a manner that does not require an extra "search" action by the user. The user simply selects an NE in the optical topology view and all routes through the NE are displayed. By contrast, to display similar information, Naik would require the performance of an extra step, namely a path trace to discover a link or route (see for example paragraphs 0388 and 0392 of Naik). Clearly the approach in Naik is completely different then the approach of the present application.

In response to Applicant's previous arguments, the Examiner looks to Figure 8 and paragraphs 0332-0392 of Naik as disclosure for "how each link is selectable and how it is viewable on the topology map with its link information". While this may be true, this does not teach displaying information of each route which includes the selected node. For reasons discussed above, information regarding each route which includes a selected node is different than link information.

As stated above, "If any claim, element, or step is absent from the reference that is being relied upon, there is no anticipation". Since Naik does not teach "displaying in tabular form in a

routes panel, information respecting each route which includes the selected node [emphasis added]", Applicant submits that that claim 35 of the present application is not anticipated by Naik.

Applicant submits that claim 36 of the present application is not anticipated by Naik for similar reasons provided above in respect of independent claim 35.

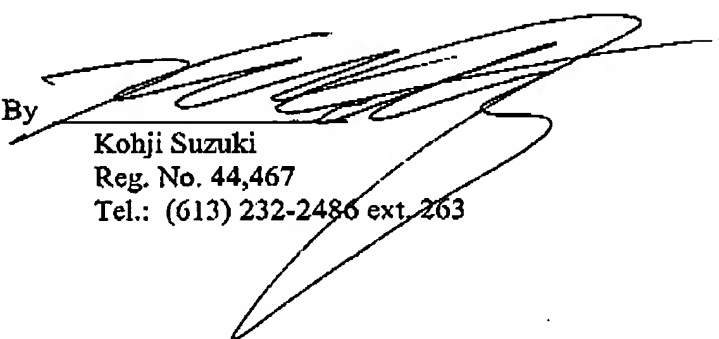
The Examiner is respectfully requested to reconsider and withdraw the rejection of claims 35 and 36.

In view of the foregoing, early favorable consideration of this application is earnestly solicited.

Respectfully submitted,

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